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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/12/2003

Kunihiro Akiyoshi

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05/19/2009

OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

DICKERSON, CHAD S

ART UNIT

PAPER NUMBER

2625

NOTIFICATION DATE

DELIVERY MODE

05/19/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 4/14/2009 have been fully considered but they are not persuasive. When viewing the Applicant's arguments, the Examiner noted that the applicant requested further clarification of the application of the Fukui '135 reference. While requesting clarification, the Applicant asserted that the combination of Fukui '135, Meade '966 and Morita '326 does not disclose the feature of "*an application information obtaining part configured to obtain, from the new application, application information of the new application that includes information indicating whether the new application is installable in the installed application storage part*"¹. The Examiner respectfully disagrees with this assertion.

When reviewing the Office Action (OA) mailed on 1/15/2009, the Examiner stated the on pages 2-6 that the newly attached peripheral containing a function that contains a new program that sends application information to the connected copier body². The Examiner also used the example of the invention listed in column 15 to show how an additional function communicates program information (version ID) to the copier body³. In both examples, the copier body is used as the application information obtaining part that obtains application information about the new application. The new application can be considered as either the new application in the additionally attached peripheral or the new program being sent over to the copier body that contains the control program for the sorter. The control program is compared to the control programs already stored in

¹ See Applicant's arguments on pages 3-5.

the copy body to determine if the current forwarded program is present, which is another example of application information being obtained from the new application⁴. However, with the combination of Fukui '135 with the Meade '966 reference, the whole claim feature is performed.

As presented in the last OA, the Meade reference discloses obtaining *“information indicating whether the new application is installable in the installed application storage part”*. For example, the Meade reference is used to disclose the feature of containing software that is used to upgrade a printer that contains update information, such as a version number. This is considered as information indicating whether the software is installable in the printing device⁵. Since the above claim limitation is disclosed by the Meade reference in combination with the Fukui reference, the claim limitations in the independent claims are believed to be disclosed.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHAD DICKERSON whose telephone number is (571)270-1351. The examiner can normally be reached on 9:30-6:00pm Monday-Friday.

² See Fukui '135 col. 17, lines 13-65.

³ Id. at col. 15, lines 38-52.

⁴ Id. at col. 17, line 57 - col. 18, line 65.

⁵ See Meade '966 at paragraphs [0036]-[0045] and [0057]-[0059].

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler Lamb can be reached on (571) 272-740606. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. D./
/Chad Dickerson/
Examiner, Art Unit 2625

/Twyler L. Haskins/
Supervisory Patent Examiner, Art Unit 2625